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WORLD CONFERENCE ON HUMAN RIGHTS
Vienna, 14-25 June 1993
Agenda items 9, 10, 11 and 12

GENERAL DEBATE ON THE PROGRESS MADE IN THE FIELD OF HUMAN RIGHTS SINCE THE ADOPTION OF THE UNIVERSAL DECLARATION ON HUMAN RIGHTS AND ON THE IDENTIFICATION OF OBSTACLES TO FURTHER PROGRESS IN THIS AREA AND WAYS IN WHICH THEY CAN BE OVERCOME

CONSIDERATION OF THE RELATIONSHIP BETWEEN DEVELOPMENT, DEMOCRACY AND THE UNIVERSAL ENJOYMENT OF ALL HUMAN RIGHTS, KEEPING IN VIEW THE INTERRELATIONSHIP AND INDIVISIBILITY OF ECONOMIC, SOCIAL, CULTURAL, CIVIL AND POLITICAL RIGHTS

CONSIDERATION OF CONTEMPORARY TRENDS IN AND NEW CHALLENGES TO THE FULL REALIZATION OF ALL HUMAN RIGHTS OF WOMEN AND MEN, INCLUDING THOSE OF PERSONS BELONGING TO VULNERABLE GROUPS

RECOMMENDATIONS FOR:

(a) STRENGTHENING INTERNATIONAL COOPERATION IN THE FIELD OF HUMAN RIGHTS IN CONFORMITY WITH THE CHARTER OF THE UNITED NATIONS AND WITH INTERNATIONAL HUMAN RIGHTS INSTRUMENTS;

(b) ENSURING THE UNIVERSALITY, OBJECTIVITY AND NON-SELECTIVITY OF THE CONSIDERATION OF HUMAN RIGHTS ISSUES;

(c) ENHANCING THE EFFECTIVENESS OF UNITED NATIONS ACTIVITIES AND MECHANISMS;

(d) SECURING THE NECESSARY FINANCIAL AND OTHER RESOURCES FOR UNITED NATIONS ACTIVITIES IN THE AREA OF HUMAN RIGHTS

Joint declaration of the independent experts responsible for the special procedures for the protection of human rights

The special rapporteurs, representatives, experts and members or chairmen of working groups of the Commission on Human Rights met together from 14 to 16 June 1993 on the occasion of the World Conference on Human Rights and adopted the following Joint Declaration. The Declaration was presented by Mr. B.W. Ndiaye, special rapporteur on extrajudicial, summary or arbitrary executions, to the World Conference at its tenth plenary meeting on 17 June 1993.

COMMISSION ON HUMAN RIGHTS:
JOINT DECLARATION OF THE INDEPENDENT EXPERTS RESPONSIBLE FOR THE SPECIAL PROCEDURES FOR THE PROTECTION OF HUMAN RIGHTS

I have the honour to address you on behalf of my fellow independent experts who serve as special rapporteurs, representatives, experts, members or chairmen of working groups of the public procedures of the Commission on Human Rights. Being responsible for implementing these special procedures, as they are called, of the United Nations Human Rights Programme, we feel that it is appropriate to take stock of our work on the occasion of this important World Conference on Human Rights.

As the Conference considers all that has been achieved by the United Nations in nearly half a century, it may be said that the standard-setting process in the area of human rights is one of the major accomplishments of the Organization. The catalogue of human rights standards is a testimonial to the many and persistent efforts — albeit with sometimes uncertain results — that have brought us to this point. But we must beware of complacency, for all that has been achieved is now being put to the test, and the people of the world are watching to see if the will of the United Nations is as strong as its word. The time has come to improve the effectiveness of the work accomplished and to give it greater weight.

Despite what has been achieved, the pain and suffering that persist — close to the very place where we sit — do not allow us to celebrate; rather, they incite us to put into practice this impressive catalogue of human rights standards. Certainly, there is still some refining of standards to attend to, but this is an ongoing process and may, in fact, be assisted by the already considerable experience we have gained in implementing existing norms over the last two decades, during which a fine web of implementation mechanisms was carefully spun. The system of special procedures holds a prominent place on the front line of the international monitoring of universal standards. It falls to us to address many of the most serious violations in the most difficult situations.

The special procedures of the Commission now number well over 20. We are 34 independent experts from 23 countries and all continents who have been nominated to carry out these procedures. We represent a wide range of cultures, legal systems and professions. Eight of use come from Africa, eight come from Latin America, six come from Asia, seven from Western Europe and

five from Eastern Europe. In general, our mandates are divided between those which address specific rights or subjects ▌ the thematic procedures ▌ and those which address specific human rights situations in one country or region.

It may be recalled that this system has its origins in the 1960s, when it was found necessary to react to the persistence of the system of apartheid. Despite some progress, that repugnant system has yet to be fully eradicated, and racism and discrimination still exist in numerous parts of the world. Having responded to the odious and audacious affront to humanity that is apartheid, the United Nations was, and still is, compelled to respond to intolerance elsewhere. Procedures to address other types of massive human rights violations in other countries and regions followed. In recent years, the system has been broadened through the creation of new thematic procedures concerning, for example, the dramatic situation of displaced persons or the fight against religious intolerance.

This broad range of procedures constitutes a unique and crucial element in the implementation of the body of specific standards that have been adopted by universal consensus through the United Nations General Assembly. While it may never have been conceived as a "system", the evolving collection of these procedures and mechanisms now clearly constitutes and functions as a system of human rights protection. Over the years, the area of concern has been enlarged step by step, techniques have been discovered and refined, and new methods of work have been adopted.

Our task is clear: what we do is render the international norms that have been developed more operative. We do not merely deal with theoretical questions, but strive to enter into constructive dialogues with Governments and to seek their cooperation as regards concrete situations, incidents and cases. The core of our work is to study and investigate in an objective manner with a view to understanding the situations and recommending to Governments solutions to overcome the problem of securing respect for human rights. Certainly, we have a delicate task when we undertake <u>in situ</u> investigations and when we take testimonies in circumstances that often involve risks for the witnesses, if not for ourselves.

The ability to intercede with Governments at the highest level, in a timely and urgent fashion, represents real progress. Urgent interventions take place on a regular basis when there is still a hope of preventing possible violations of the rights to life, physical and mental integrity, and security of person. This type of intervention has saved lives, and continues to save lives. Moreover, we are sometimes able to intervene on purely humanitarian grounds to protect people against violations.

Apart from the specifics of our respective mandates, we would like the Conference to underline the more general scope and significance of our mission within the United Nations system. In our reports we strive to encourage States to comply with the principles and purposes of the Charter of the United Nations, in order to establish or restore peace through justice. We devote ourselves, our knowledge and our experience to seek to ensure that the work produces concrete results.

Obviously, what I have described above does not exist solely because of the efforts and good will of the special rapporteurs. In truth, the system relies heavily ▮ we rely heavily ▮ on the support structure of the Centre for Human Rights which is dramatically over-burdened. If we want the special procedures system to remain credible, we must strengthen the support structure of the extra-conventional supervisory mechanisms. One thing is clear: nothing meaningful can be done without very solid support. The structure must be capable of painstakingly examining and processing each and every piece of information, analysing developments and cases, and studying policies and trends. Human rights work, if it is to be done seriously, requires attention to detail and a deep understanding of the circumstances of each situation and each case. A truly professional approach is not only in the interest of those in need of our help, but also necessary in order to assure justice for all concerned, including, of course, the Governments.

In order to strengthen the system, it is necessary to examine some of its shortcomings. Since our tasks invariably depend upon the quality of the information available to us, we must consider ways of improving access to primary sources and ensuring subsequent verification. We must also improve our ability to monitor situations in a continuous fashion. It is clear that, as the information-load increases, a small group of experts acting part-time on a pro bono basis inevitably encounters limitations, especially given the strain on the precious resources of the Centre for Human Rights and the existence of administrative hurdles. While many of these problems are the direct result of chronic under-funding and critically inadequate resources, there are also structural flaws which need to be overcome.

The fact that the system has evolved in a gradual manner explains why it has never benefited from a coherent administrative design in its construction. The special procedures have only received tentative institutional support. Substantive work has also been problematic because of the lengthy delay in the approval of mandates: several months are lost each year between the adoption of the resolutions by the Commission and their approval by the Economic and Social Council. During this period, the victims are left to their own fate. The absence of regular budgetary allocations also undermines our effectiveness. Indeed, each of us should know what financial resources we may rely upon so as to enable meaningful planning. Unfortunately, despite positive steps in the last couple of years, such as the decision to extend established thematic mandates for periods of three years, the negative implications of the budgetary and scheduling problems remain considerable.

The promotion and protection of human rights require a universal system of monitoring. In this respect, the established system constitutes an essential element of the means available to the United Nations. The experience gained can thus make a positive contribution to overcoming the challenges of our time.

Mandates, whether thematic or country-specific, should be given for reasonable periods so as to permit continuous in-depth work. After all, we must face the hard reality that we will have to deal with the problems of torture, disappearance and extrajudicial execution for a long time to come. Sadly, such gross violations are common to all mandates, including phenomena like religious intolerance and internal displacement.

In dealing with such serious matters, one cannot but emphasize the importance of field missions which enable us to acquaint ourselves with the objective reality of situations. The clarity gained in the process is vital to accurate assessments and reporting, which also serve the best interests of the Governments concerned. Consequently, field missions should be seen by Governments as a natural component of every mandate. In the same context, there is also a need for appropriate follow-up to be secured for such missions or, indeed, any intercessions, since the processes undertaken often cannot satisfactorily be conducted without subsequent review.

Institutionally, the work of the special procedures should be integrated into the overall work of the United Nations. This is to say that the complementary and efficient use of the capacities and resources of the United Nations should be used to assist in the receipt, verification and transmission of information concerning human rights. Coordination must be enhanced on at least three levels: among the special procedures themselves, between the special procedures and the treaty-based bodies, and between the special procedures and the larger United Nations system. In terms of making greater use of the system as it already exists, the work of the procedures could be better harmonized, beginning with periodic meetings of all special procedures experts and through joint examination of thematic reports or through joint missions. One very promising development is that, for the first time ▒ namely in the former Yugoslavia ▒ a Special Rapporteur has been assisted by the thematic rapporteurs and supported by a team of field monitors.

Beyond the Human Rights Programme itself, coordination should be achieved among other United Nations departments and the specialized agencies in a truly integrated approach to human rights. This could be partly accomplished by instituting a human rights reporting responsibility in United Nations field offices and operations. In this way, and in view of limited resources, existing valuable information, knowledge and access could be put to better use. Working together, much can be achieved. Human rights work should no longer be relegated and compartmentalized, but should permeate the Organization. For example, the results of the special rapporteurs' work could be better taken into account by other bodies of the United Nations to the extent that efforts are concerted in fulfilling the aims and objectives of the Charter. To this end, greater and more effective publicity for their reports is essential.

The work of the special procedures may also be a valuable source of information and experience ▒ thanks notably to the non-governmental organizations, to which we pay tribute ▒ in the refining of existing standards and in proposing overall solutions, particularly in negotiating processes concerned with situations of internal strife.

Of course, while we imagine how the system may be improved, we must also be careful to preserve what has been achieved. To preserve the independence and credibility of the procedures and to secure the confidence necessary to build upon them, the United Nations must provide the required resources. Despite our best efforts, we sometimes appear ineffective in critical situations simply because the most basic support structure is not available, or because of inexcusably bureaucratic attitudes in administrative and

budgetary offices of the Secretariat. How can we allow piles of individual cases to lie unprocessed and unanswered because of inadequate human and material resources? If this continues, what will be the meaning of the catalogue of standards? Moreover, in terms of financial resources, what we are speaking about seems almost ridiculous given the minimal sums at stake compared with the overall resources of the United Nations.

We are not here to champion our work. We are here, in our independent role, to offer our views at this critical juncture. A world in transition is challenging what has been achieved and we must rise to the occasion in defence of the human rights values that are at the core of the United Nations. In fact, as insecurities mount, the world seems to be rediscovering the lesson of the Second World War: that respect for human rights is integral to the maintenance of peace and security. Indeed, in his report on the work of the Organization, the Secretary-General has clearly proposed "empowering ... expert human rights bodies to bring massive violations of human rights to the attention of the Security Council together with recommendations for action". We note that there is already a precedent in the case of the former Yugoslavia. This development should be encouraged.

We submit that a developed system of human rights implementation featuring a universally representative and diverse group of independent experts offers considerable possibilities for supervising respect for human rights; the system must be supported by a strong Centre for Human Rights. Such an effort would also offer some guarantee against the risk of the procedures being politicized and the already too-limited resources being dissipated. In this way, we may be able to contribute to the strengthening of the work of the United Nations - and, indeed, to the Organization's credibility - in both the promotion and protection of human rights.

In conclusion, the special rapporteurs, representatives, experts and members and chairmen of working groups of the special procedures recommend the following:

1. Procedures and mechanisms should be established for reasonable periods of time, not suffer delays in their approval by competent bodies, include field missions as a natural component and, as necessary, obtain the support of field monitors. In all cases, missions should be appropriately followed up.

2. Special rapporteurs, representatives, experts and members and chairmen of working groups should be enabled to harmonize their work through periodic meetings, joint examination of thematic reports and, as appropriate, joint missions.

3. The work of the special procedures should benefit from access to information available at United Nations offices throughout the world and their reports should be taken into account by United Nations bodies, including, as appropriate, the Security Council. Similarly, reports should be widely publicized and disseminated.

4. To achieve the above and support the effective work of the procedures and mechanisms, human and material resources must be raised to a

level commensurate with the responsibilities carried by each procedure. Sufficiently flexible administrative procedures must also be devised so as to allow for maximum efficiency, especially in urgent situations.

My colleagues and myself wish to express our appreciation for the opportunity to meet [redacted] for the first time in the history of special procedures [redacted] as a result of the World Conference. We would therefore like to thank the Conference organizers, especially the Secretary-General of the World Conference, Mr. Ibrahima Fall, as well as his collaborators. For my colleagues, and for myself, this meeting has been a significant, enriching and encouraging experience. We thank all those who have shared it with us.

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WORLD CONFERENCE ON HUMAN RIGHTS
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Note by the secretariat

The attention of the World Conference on Human Rights is drawn to the attached joint statement issued by the Christian Democrat International, Liberal International and Socialist International on 17 June 1993.

Statement from the Political Internationals to the World Conference on Human Rights, Vienna, June 1993

The world's three political internationals participating at the World Conference on Human Rights have agreed to make joint recommendations to the World Conference meeting in Vienna.

We recommend that the United Nations take specific steps to strengthen global human rights and that the UN improve its own human rights coordination, monitoring, intervention capabilities and human rights resources.

We also agree to promote the ratification of human rights treaties and to promote the establishment of national human rights parliamentary committees as steps in supporting stronger UN efforts and abilities.

Recognising that this is an unusual show of political unity, and that a democratic society offers the best safeguards for human rights, we declare that we are in full agreement and completely united on the central importance of the defence of human rights and the right of the international community to intervene to defend them.

The Internationals are convinced that human rights are universal and indivisible.

The Internationals commit themselves to take common initiatives to promote universal respect for human rights. We agree to jointly monitor human rights situations and human rights compliance.

We recommend:

1. That this Conference urge all states to ratify the international human rights covenants and treaties without delay. Universal ratification should be achieved no later than the year 2000. Ratifications should be secured without reservation.

2. That governments should comply with their reporting obligations to the human rights monitoring committees. They should cooperate with procedures allowing for individual complaints and give free access to fact finding activities by Special Rapporteurs and Working Groups.

3. The establishment of a Special Commissioner for Human Rights in order to improve the United Nations system of coordination and in order to facilitate rapid intervention in urgent human rights situations.

4. The urgent adoption of a Declaration on the Protection of Human Rights Defenders.

5. Adoption by the next General Assembly of the draft Declaration on Violence Agalnst Women and the appointment of a special UN Rapporteur on this issue.

6. Enforcement of humanitarian norms and adoption of extra measures for assistance to children in war zones.

7. That the Conference recommend effective implementation procedures to enforce the UN Declaration on National, Ethnic and Religious Minorities.

8. Adoption this year of a Declaration on the Rights of Indigenous Peoples.

9. Improving the operation and resources of the UN Human Rights Centre in order to strengthen its administration and activities. The Centre's budget should be doubled within the next two years and its staff enlarged to meet growing human rights challenges.

10. That the Secretary-General of the United Nations appoint a special committee, with the participation of governments, non-governmental organizations and relevant UN agencies, to design an action program for the implementation of the decisions of this Conference. The three Political Internationals offer to assist in this work.

Vienna, June 17, 1993

Christian Democrat International Liberal International

Socialist International

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Note by the President

Appeal by Nobel Peace Prize Laureates

The President wishes to inform the world Conference that he has received a communication from the delegation of Austria which reads as follows:

"It will be recalled that the Government of Austria had issued an invitation to all Nobel Peace Prize Laureates to gather in Vienna on the occasion of the opening of the World Conference on Human Rights.

The following Laureates accepted the Austrian invitation and accordingly participated in the Vienna gathering.

Individual personalities: Dr. Norman E. Borlaug (award 1970); Mrs. Betty Williams (1976); Mr. Adolfo Perez Esquivel (1980); Mr. Tenzin Gyatso, The Fourteenth Dalai Lama of Tibet (1989); Mrs. Rigoberta Menchú Tum (1992).

Institutions and organizations: the Institute for International Law (1904) represented by Mr. Christian Dominicé; the International Committee of the Red Cross (1917, 1944, 1963) represented by Mr. Dietrich Schindler; the Religious Society of Friends (Quakers) (1947) represented by Mrs. Brenda Bailey; the American Friends Service Committee (1947) represented by Mr. Stephen Cary; the Office of the United Nations High Commissioner for Refugees (1954, 1981) represented by Mrs. Sadako Ogata; the Federation of Red Cross and Red Crescent Societies (1963) represented by Mr. George Weber; the United Nations Childrens' Fund (1965) represented by Mr. Samir Sanad Basta; the International Labour Office (1969) represented by Mr. Heribert Maier; Amnesty International (1977) represented by Mr. Pierre Sané; the International Physicians for the Prevention of Nuclear War (1985) represented by Co-President Dr. Mikhael Kuzin.

The decision to invite the Laureates to Vienna was prompted by the evident link between the observance of human rights and the maintenance of peace. It was felt that the Laureates should be given the opportunity to hold an in-depth discussion on the relationship between human rights and peace. Accordingly, appropriate private meetings were organized. In addition, a public round table on this topic, in which all Laureates attending participated, took place on 15 June.

In the course of their private meetings the Laureates drafted a special message which they are addressing to the World Conference on Human Rights. This message was publicly presented at a press conference held on 16 June. The text of the message, which contains important reflections on the realization of human rights worldwide, is reproduced in annex I.

Furthermore, the President of the Polish Republic, H.E. Mr. Lech Walesa, Nobel Peace Prize Laureate 1983, who was not in a position to come to the gathering of Laureates in Vienna, sent a special message of his own to the World Conference. The text of this message is reproduced in annex II.

The delegation of Austria would appreciate if this communication, together with its annexes, were circulated as a document of the World Conference and included in its report."

Annex I

MESSAGE ADDRESSED TO THE WORLD CONFERENCE ON HUMAN RIGHTS
BY THE NOBEL PEACE PRIZE LAUREATES ASSEMBLED
IN VIENNA FROM 14 TO 16 JUNE 1993

We,

Laureates of the Nobel Peace Prize having gathered in Vienna, from 14 to 16 June 1993, at the invitation of the Federal Minister for Foreign Affairs of the Republic of Austria,

Considering the important objectives of the World Conference on Human Rights,

Bearing in mind the inherent interrelationship between the maintenance of peace and the observance of human rights,

Address the following message to the World Conference.

1. One of the fundamental lessons of our times is that respect for human rights is the key to peace. There can be no real peace without justice, and lasting peace must be founded upon a universal commitment to human kinship. National interests must be subject to international obligations.

2. In all cases where peace is broken and armed conflict occurs, it is essential that, as a mere minimum, the norms of international humanitarian law be respected by all parties to the conflict. Also, the community of nations must continue its progress towards complete disarmament.

3. The world is still witnessing mass violations of human rights which in themselves are a threat to peace: torture, political killings and summary executions, arbitrary detention, disappearances, all these are phenomena which can no longer be tolerated. There is an international responsibility to ensure that those who commit such crimes are brought to justice.

4. The death penalty constitutes a cruel and inhuman punishment and should be abolished throughout the world. Once abolished by a State it should never be reintroduced.

5. As a result of human rights violations and armed conflict the number of refugees and displaced persons is acquiring unprecedented dimensions. Human solidarity is imperative to ensure their protection and assistance. At the same time there is a need to address the root causes of such movements of people and a need for action to facilitate their return and their social reintegration under dignified conditions and to ensure their security.

6. The only way to permanently resolve the conflicts which are still racking the world is to address the main causes of human rights violations. Ethnic conflicts, the rise of militarism, racial, religious, cultural and ideological antagonism and the denial of social justice will be overcome if all people are

raised, educated and nurtured in the spirit of tolerance based on the respect for human rights, as manifested in the various human rights instruments adopted by the United Nations system.

7. Human rights include economic, social and cultural rights as well as civil and political rights. Those rights are indivisible and interrelated. They are universal in character. Genuine peace cannot be achieved without due observance of all those rights including the right to food, employment, health, education and a safe environment.

8. The right to food is of primordial importance. Governments must make the production and distribution of food their primary concern. Without adequate production of food and equitable distribution any human rights system will collapse.

9. Also, peace, fragile as it is, must be based on social justice, adequate economic progress and the right to self-determination. It is, therefore, the duty of the Governments of all nations to create international and national conditions in which the inherent dignity and worth of the human person are truly respected and the individual human being is given the possibility to develop his or her potential to the fullest with special attention paid to women, children and also disabled persons whose rights have been traditionally undervalued. Political systems based on genuine democratic participation by all are best able to ensure that aim. In that context the legitimate rights of indigenous peoples must be fully respected.

10. As we enter the twenty-first century it is time to give a new impetus to the vision enshrined in the Charter of the United Nations for a world of peace and justice. Such a world must be based on observance of human rights and the achievement of economic and social progress. In this context the important role which non-governmental organizations have to play in that regard must be recognized and supported.

Annex II

MESSAGE DATED 14 JUNE 1993 ADDRESSED TO THE WORLD CONFERENCE ON HUMAN RIGHTS BY HIS EXCELLENCY THE PRESIDENT OF THE POLISH REPUBLIC, MR. LECH WALESA, NOBEL PEACE PRIZE LAUREATE 1983

I wish to express my gratitude for the invitation extended to me as a laureate of the Nobel Peace Prize to participate in the World Conference on Human Rights. I am not able to come to Vienna in person. I wish to assure you, however, that my heart and thoughts are with you.

The idea of the Conference is particularly close to me. During years of struggle with systemic totalitarianism I learned the respect for values basic in the life of every human being and every nation. My road to freedom is the road of peace. Solidarnosc - a social movement, under my leadership, achieved victory, without bloodshed. It started in a peaceful manner great changes in Europe. Today Poland is free.

Others have drawn their conclusions from our experience. Nevertheless, we should keep reminding ourselves of this, especially in times when some politicians tend to believe in the power of guns rather than peaceful negotiations. The tragedy of Yugoslavia exemplifies the terrible consequences of such thinking. We, the laureates of the Nobel Peace Prize, have a moral right and obligation to speak about this loudly. To remind and to warn. To appeal to world opinion. To thrill people's conscience.

Human rights cannot be an empty word, a promise without delivery. After all, respect for human rights constitutes the very basis of democracy. I am convinced that only through dialogue can one solve the difficult problems of the contemporary world.

At present, all citizens of free Poland enjoy equal rights. Nobody is discriminated against. These principles are reflected in the Charter of Rights and Freedoms which upon my initiative is being prepared. This draft constitutional law is based on the principles of respect of the independence and dignity of every human being. The Charter sets the limits of the will of the majority in a society of free people.

As President of a State which follows the road of peace I am obliged to build a future free from violence, prejudice and hatred. This is a challenge we are bound to accept before both history and the present.

I am convinced that the Conference will give hope to those nations where human rights are violated, where human dignity is being trampled.

(Signed:) Lech Walesa

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Note by the secretariat

The attention of the World Conference is drawn to the correspondence, reproduced hereunder, concerning the decision adopted by the World Conference on Human Rights on 15 June 1993 (A/CONF.157/13) on the situation of human rights in Bosnia and Herzegovina.

Lettre datée du 16 juin 1993 du Président de la Conférence mondiale sur les droits de l'homme adressée au Président du Conseil de Securité

J'ai l'honneur de vous informer que la Conférence mondiale sur les droits de l'homme, lors de sa 5ème séance plénière, le 15 juin 1993, a adopté la décision suivante:

> La Conférence mondiale sur les droits de l'homme, après avoir entendu le Ministre des affaires étrangères de Bosnie-Herzégovine, lance un appel au Conseil de Sécurité de prendre les mesures nécessaires pour mettre fin au génocide qui est en train de se dérouler en Bosnie-Herzégovine, et en particulier, à Gorazdeh.

Je vous prie de croire, Excellence, les assurances de ma très haute considération.

(Signé:) Alois Mock

Telefax dated 18 June 1993 from the Assistant Secretary-General, Department of Political Affairs, addressed to the Secretary-General of the World Conference on Human Rights

At the request of the President of the Security Council, I have the honour to transmit the text of resolution 844 (1993), adopted by the Security Council at its 3241st meeting, held on 18 June 1993, in connection with the item entitled, "The situation in the Republic of Bosnia and Herzegovina". The President of the Security Council would be grateful if the text of the resolution could be brought to the attention of His Excellency Mr. Alois Mock, President of the World Conference on Human Rights.

The resolution is being forwarded in the six official languages of the Security Council.

(Signed:) Benon Sevan

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17 June 1993

ENGLISH
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WORLD CONFERENCE ON HUMAN RIGHTS
Vienna, 14-25 June 1993
Agenda items 9, 10, 11 and 12

GENERAL DEBATE ON THE PROGRESS MADE IN THE FIELD OF HUMAN RIGHTS SINCE THE ADOPTION OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND ON THE IDENTIFICATION OF OBSTACLES TO FURTHER PROGRESS IN THIS AREA AND WAYS IN WHICH THEY CAN BE OVERCOME

CONSIDERATION OF THE RELATIONSHIP BETWEEN DEVELOPMENT, DEMOCRACY AND THE UNIVERSAL ENJOYMENT OF ALL HUMAN RIGHTS, KEEPING IN VIEW THE INTERRELATIONSHIP AND INDIVISIBILITY OF ECONOMIC, SOCIAL, CULTURAL, CIVIL AND POLITICAL RIGHTS

CONSIDERATION OF CONTEMPORARY TRENDS IN AND NEW CHALLENGES TO THE FULL REALIZATION OF ALL HUMAN RIGHTS OF WOMEN AND MEN, INCLUDING THOSE OF PERSONS BELONGING TO VULNERABLE GROUPS

RECOMMENDATIONS FOR:

(a) STRENGTHENING INTERNATIONAL COOPERATION IN THE FIELD OF HUMAN RIGHTS IN CONFORMITY WITH THE CHARTER OF THE UNITED NATIONS AND WITH INTERNATIONAL HUMAN RIGHTS INSTRUMENTS;

(b) ENSURING THE UNIVERSALITY, OBJECTIVITY AND NON-SELECTIVITY OF THE CONSIDERATION OF HUMAN RIGHTS ISSUES;

(c) ENHANCING THE EFFECTIVENESS OF UNITED NATIONS ACTIVITIES AND MECHANISMS;

(d) SECURING THE NECESSARY FINANCIAL AND OTHER RESOURCES FOR UNITED NATIONS ACTIVITIES IN THE AREA OF HUMAN RIGHTS

Decision adopted by the World Conference on Human Rights at its 5th plenary meeting, held on 15 June 1993.

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* Reissued for technical reasons.

The World Conference on Human Rights, after hearing the Minister for Foreign Affairs of Bosnia and Herzegovina, appeals to the Security Council to take the necessary measures to end the genocide taking place in Bosnia-Herzegovina, and in particular at Gorazde.

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A/CONF.157/14
22 June 1993

Original: ENGLISH

WORLD CONFERENCE ON HUMAN RIGHTS
Vienna, 14-25 June 1993
Agenda item 5

APPOINTMENT OF THE CREDENTIALS COMMITTEE: REPORT OF THE CREDENTIALS COMMITTEE

Acting Chairman: Mr. Alois MOCK (Austria)

1. At the first plenary meeting, on 14 June 1993, the World Conference on Human Rights, in accordance with rule 4 of the rules of procedure of the Conference, appointed a Credentials Committee, based on that of the Credentials Committee of the General Assembly of the United Nations at its forty-seventh session, consisting of the following nine members: Argentina, Barbados, Benin, China, New Zealand, Papua New Guinea, Russian Federation, Rwanda and United States of America.

2. The Credentials Committee held one meeting, on 22 June 1993.

3. The President of the World Conference, Mr. Alois Mock (Austria), served as Acting Chairman of the Committee.

4. The Committee had before it a memorandum by the Secretary-General dated 21 June 1993 on the status of credentials of representatives participating in the Conference. Additional information on credentials received by the Secretary-General after the issuance of the memorandum was provided to the Committee by its Secretary.

5. As noted in paragraph 1 of the memorandum of the Secretary-General, as updated by the additional information received, formal credentials issued by the head of State or Government or by the Minister for Foreign Affairs, as provided for in rule 3 of the rules of procedure of the World Conference on Human Rights (A/CONF.157/8), had been received by the Secretary-General for

the representatives of the following 113 States participating in the Conference: Afghanistan, Algeria, Austria, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Cape Verde, Chad, China, Colombia, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Finland, Gabon, Ghana, Guinea, Holy See, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Jamaica, Japan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Singapore, Slovakia, Spain, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zaire, Zambia and Zimbabwe.

6. As noted in paragraph 2 of the memorandum, as updated, information concerning the appointment of representatives participating in the Conference had been communicated by means of facsimile or cable or in the form of letters or notes verbales from ministries, permanent missions to the United Nations or other government offices or authorities, by the following 58 States participating in the Conference: Albania, Angola, Argentina, Armenia, Australia, Azerbaijan, Belgium, Bosnia and Herzegovina, Burundi, Canada, Central African Republic, Chile, Comoros, Congo, Costa Rica, Dominica, Equatorial Guinea, Estonia, Fiji, France, Gambia, Georgia, Germany, Greece, Guatemala, Guinea-Bissau, Haiti, Honduras, Iran (Islamic Republic of), Italy, Jordan, Kazakhstan, Kyrgyzstan, Lesotho, Liberia, Lithuania, Luxembourg, Namibia, Nicaragua, Nigeria, Pakistan, Rwanda, Somoa, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Slovenia, Sri Lanka, Switzerland, Tajikistan, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan and Vanuatu.

7. The Acting Chairman proposed that the Committee accept the credentials of all the representatives mentioned in the memorandum of the Secretary-General, on the understanding that formal credentials for representatives referred to in paragraph 2 of the Secretary-General's memorandum, would be communicated to the Secretary-General as soon as possible. The following draft resolution was proposed by the Acting Chairman for adoption by the Committee:

The Credentials Committee,

Having examined the credentials of the representatives to the World Conference on Human Rights referred to in paragraphs 1 and 2 of the memorandum of the Secretary-General dated 21 June 1993,

Accepts the credentials of the representatives concerned.

8. The draft resolution was adopted by the Committee without a vote.

9. Subsequently, the Acting Chairman proposed that the Committee recommend to the Conference the adoption of a draft resolution (see para. 11 below). The proposal was adopted by the Committee without a vote.

10. In the light of the foregoing, the present report is submitted to the Conference.

RECOMMENDATION OF THE CREDENTIALS COMMITTEE

11. The Credentials Committee recommends to the Conference the adoption of the following draft resolution:

Credentials of representatives to the World Conference on Human Rights

The World Conference on Human Rights,

Approves the report of the Credentials Committee.

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22 June 1993

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WORLD CONFERENCE ON HUMAN RIGHTS
Vienna, 14-25 June 1993
Agenda item 9

GENERAL DEBATE ON THE PROGRESS MADE IN THE FIELD OF HUMAN RIGHTS SINCE THE ADOPTION OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND ON THE IDENTIFICATION OF OBSTACLES TO FURTHER PROGRESS IN THIS AREA AND WAYS IN WHICH THEY CAN BE OVERCOME

Note by the Secretary-General

Note verbale dated 21 June 1993 from the Austrian Federal Ministry for Foreign Affairs addressed to the Secretary-General of the World Conference on Human Rights

The Austrian Delegation to the World Conference on Human Rights presents its compliments to the Secretary-General of the World Conference on Human Rights and has the honour to submit the report of a panel discussion on "Human rights violations in war situations", organized by the Austrian Society for Foreign Policy and International Relations which was held on 18 June 1993 on the occasion of the World Conference on Human Rights in Vienna.

The Austrian Delegation respectfully requests that the enclosed report be issued as a document of the World Conference on Human Rights under item 9 of the agenda.

Human rights violations in war situations

1. On the occasion and within the overall framework of the World Conference on Human Rights, the Austrian Society for Foreign Policy and International Relations ("Österreichische Gesellschaft für Außenpolitik und Internationale Beziehungen") organized a panel discussion on "Human rights violations in war situations", which was held on Friday, 18 June 1993, in the Austria Center Vienna. The participants were: Prof. Izet Aganovic, Merhamet (Red Crescent), Zagreb; Prof. Yonah Alexander, George Washington University; Prof. Muhamed Filipovic, University of Sarajevo; Prof. Zeljko Horvatic, University of Zagreb; Ms. Christine von Kohl, International Helsinki Federation for Human Rights, Vienna; Mr. Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights, former Prime Minister of Poland, Warsaw; Prof. Zvonimir Separovic, World Society of Victimology, former Minister for Foreign Affairs of Croatia, Zagreb; Prof. Vojislav Stanovcic, Academy of Sciences and Arts, Belgrade; Mr. Simon Wiesenthal, Dokumentationszentrum des Bundes jüdischer Verfolgter des Naziregimes (Documentation Centre of the Organization of Jewish Survivors of the Nazi Regime), Vienna. Prof. Hanspeter Neuhold, University of Vienna, presided over the panel; Ambassador Albert Rohan acted as Rapporteur.

2. At the outset one of the participants underlined the ominous recurrence of ethnic and religious violence in many parts of the world as well as the striking contrast between the vision of a new world order based on the rule of law and the reality marked by the globalization of violence and the inadequacy of the existing human rights regime.

3. The debate then concentrated on the tragic situation in Bosnia and Herzegovina. Participants deplored the bloodshed, destruction and massive violations of human rights occurring at the very end of the 20th century in south-east Europe and stressed the need to immediately stop the war. The bestial character of the crimes committed, the immense suffering of innocent civilians, women and children, the 250,000 dead and 3 million refugees and displaced persons were highlighted. Participants unanimously condemned the practice of "ethnic cleansing".

4. The notion that this conflict had the character of a religious or civil war from its inception was rejected, as was the argument that ethnic strife had a long history in Bosnia and Herzegovina. It was pointed out that on the contrary, Bosnia and Herzegovina had been a model of a multi-ethnic, multi-religious and multi-cultural society and that this was true even now for some parts like the beleaguered capital of Sarajevo. The conflict had been brought to Bosnia and Herzegovina from the outside; it was a clear case of Serbian aggression caused by the criminal policy and ideology of the Serb leadership. The response by the international community to the events in Bosnia and Herzegovina had been totally inadequate. International action had failed, the system of protection of human rights had collapsed and the uncontrolled continuation of violence revealed the impotence of the United Nations and of Governments in Europe and the world. Unfortunately, it was not to be expected that the ongoing World Conference on Human Rights would have any impact on the real situation.

5. In the course of the debate the following specific points were made by members of the panel: there was no hope for assistance from the Governments of the world, therefore the people's help should be sought in order to preserve Bosnia and Herzegovina. All elements for a political solution were contained in the decisions of the London Conference on the Former Yugoslavia of August 1992. Since then a whole year had been lost. Nothing had been achieved; on the contrary, the situation had deteriorated and the worst methods were now being applied by all sides to the conflict. "Super-violence" met with the "super-helplessness" of the international community, which was a disgrace to Europe, the world and the United Nations. The Vance/Owen/Stoltenberg process was in fact helping and legalizing the aggression. If the international community was not ready to take some risks in order to defend human rights, these would remain unprotected.

6. With regard to the legal responsibility for the crimes committed, not only must the actual perpetrators be brought to justice, but also those who gave the orders. Moreover, the proceedings had to be given an international framework, and not only national law should be applied. One participant pointed to the need for greater conceptual clarity when speaking about human rights and the events in the former Yugoslavia; acts of outside aggression should not be called civil war. Also, the world in its utter impotence appeared to be limited to the role of a "voyeur", thus becoming an accomplice to the crime. One member of the panel opined that human rights standards had always been at a lower level in Bosnia and Herzegovina compared to other parts of the former Yugoslavia. This statement was vehemently rejected by several panellists and caused considerable commotion in the audience. With regard to the arms embargo, it was pointed out that although its lifting did not represent a solution in itself, the moral right to self-defence was undisputed.

7. Members of the audience were invited to participate in the debate and a variety of views were expressed. One person warned against generalizations and the labelling of "peoples" when attributing responsibility for the events in the former Yugoslavia. No one side alone was guilty and each had to examine its own crimes. In this context the negative influence of propaganda and tendentious media information was mentioned. Other speakers expressed the view that the roots of the conflict lay in Belgrade. The tragedy was that no European country was willing to stand up against the fascist Serbian regime. History should have taught that "one does not talk to Nazis". The resistance of some European Governments against the lifting of the arms embargo for Bosnia and Herzegovina established their complicity in the genocide. It was easy to predict that no tribunal for war crimes committed in the former Yugoslavia would ever take place.

8. The situation in Kosovo and the continuing oppression of its Albanian population was also mentioned. Speakers deplored the fact that in the course of the Conference they were not allowed to deal with specific cases of human rights violations. The Final Declaration would in all likelihood not be concerned with the effective implementation of human rights and with concrete steps to end human rights violations. Instead of holding meaningless conferences, a correct and strong message should be sent to Governments.

9. Upon conclusion of the debate a number of concrete proposals were made. One panellist demanded that "the right to peace and security" be put on top of all human rights. A member of the audience suggested that 10,000 writers, journalists and scientists should meet - within the framework of the Conference on Security and Cooperation in Europe - in Sarajevo. One proposal from the panel concerned the dispatch of 1 million letters to Lord Owen and Mr. Stoltenberg, stating that "this kind of peace in Bosnia and Herzegovina was inadmissible". A distinguished member of the panel announced that he would send a letter to the United Nations Secretary-General, demanding the lifting of the arms embargo for the defence of Bosnia and Herzegovina based on the legitimate right to self-defence.

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UNITED
NATIONS

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General Assembly

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WORLD CONFERENCE ON HUMAN RIGHTS
Vienna, 14-25 June 1993
Agenda item 12

RECOMMENDATIONS FOR: (a) STRENGTHENING INTERNATIONAL COOPERATION IN THE FIELD OF HUMAN RIGHTS IN CONFORMITY WITH THE CHARTER OF THE UNITED NATIONS AND WITH INTERNATIONAL HUMAN RIGHTS INSTRUMENTS; (b) ENSURING THE UNIVERSALITY, OBJECTIVITY AND NON-SELECTIVITY OF THE CONSIDERATION OF HUMAN RIGHTS ISSUES; (c) ENHANCING THE EFFECTIVENESS OF UNITED NATIONS ACTIVITIES AND MECHANISMS; (d) SECURING THE NECESSARY FINANCIAL AND OTHER RESOURCES FOR UNITED NATIONS ACTIVITIES IN THE AREA OF HUMAN RIGHTS

Note by the Secretary-General

Note verbale dated 21 June 1993 from the Austrian Federal Ministry for Foreign Affairs addressed to the Secretary-General of the World Conference on Human Rights

The Austrian Delegation to the World Conference on Human Rights presents its compliments to the Secretary-General of the World Conference on Human Rights and has the honour to submit the resolutions adopted by the First Austrian Pupils' Conference on Human Rights, which was held on 11 and 12 March 1993 in Vienna.

The Austrian Delegation respectfully requests that the enclosed report be issued as a document of the World Conference on Human Rights under item 12 of the agenda.

VIE.93-384

Resolution

of the First Austrian Pupils' Conference on Human Rights
on 11 and 12 March, 1993

addressed to the

World Conference of the United Nations
on Human Rights
in Vienna in June 1993

Preamble

The First Austrian Pupils' Conference on Human Rights, which took place at the Vienna International Center on 11 and 12 March, 1993, addresses this resolution to the Second World Conference of the United Nations on Human Rights and to the general public.

90 pupils of Austrian schools, among them many pupils of non-Austrian nationality, met for two days to discuss topical human rights problems in working groups and plenary sessions.

The 30 delegations to the conference deliberated on civic and political as well as economic, social and cultural rights and discussed the right of peoples - particularly of the southern hemisphere - to pursue an autonomous development and exercise control over their natural resources. Besides the plenary sessions, three working groups dealt with the following subjects (see Resolutions annexed to this Document):

"Rights of Children and Adolescents"
"Civic and Political Rights"
"Indigenous Peoples, Minorities, Racism, and the Right of Peoples to Self-Determination".

A number of demands were raised:

1. All human beings have the right to recognition as persons before the law and should therefore be entitled to participate in all spheres of life on an equal basis. This applies, in particular, to children and adolescents with regard to matters concerning them.

2. The right to asylum is to be recognized as a right due to all human beings.

3. The respect of human dignity is the prerequisite for the respect of all human rights.
In particular, the following demands result from the above:

4. All states are called upon to abolish the death penalty without delay, to convert death sentences already imposed into prison terms, and to enlighten the population on the uselessness the death penalty.

5. Rape and other forms of sexual abuse by office-holders of the state are a form of torture and should be prosecuted accordingly.

6. The states are urgently called upon not to permit the existence of secret detention centres and to use all the means at their disposal to prevent prisoners being held

7. The states are obliged to ensure conditions of detention in human dignity, to allow all detainees the possiblity to complain against an order of arrest, and to have places of detention supervised regularly by independent bodies.

8. The United Nations are called upon to set up an international complaints authority and an international court for the rights of the child in order to allow children and adolescents to file their own complaints in the case of violations of the UN Convention on the Rights of the Child.

9. The states are called upon to introduce a statutory labelling requirement for products manufactured by child labour.

10. The United Nations are called upon to see to it that peoples that do no yet have their own states are allowed to exercise the right to self-determination.

10. The lender countries are called upon to elaborate effective programmes to ease the debt burden of the countries of the southern hemisphere and to translate these programmes into practice.

12. The United Nations and the World Bank are called upon to ensure, at long last, fair world market prices through effective measures.

13. The United Nations are called upon to recognize the sovereignty of indigenous peoples and to create an independent body to deal with specific complaints and receive regular reports from indigenous peoples and minorities, to publish such reports, and to take effective action against the violation of the rights of indigenous peoples and minorities.

14. The states are called upon to review their own legislation with a view to possible discrimination against and unequal treatment of ethnic, cultural and linguistic minorities as well as racist and racism-promoting tendencies and, if necessary, abolish such provisions.

15. All states are called upon to ratify the UN Convention against the Disorimination of Women and to implement the rights guaranteed therein. The control mechanism of the convention should be improved, especially through the provision of a possibility for individual complaints by women.

16. Representatives of states which have been proven to be responsible for systematic, severe violations of human rights are to be taken to account at an international level by the United Nations.

17. We call upon the United Nations to support the mainten-

all countries of the world. The populations of the countries concerned are to be given the opportunity to decide on the stucture of this network by democratic means, so that misguided developments of the social system can be prevented and the maintenance and strengthening of the countries' own social structures, cultures and mentalities is ensured.

18. We call upon all states to implement the right to education through compulsory schooling, to be provided free of charge at the primary level, for all boys and girls without any discrimination.

This Resolution has been unanimously adopted.

Resolution

of the Working Group on
"Rights of Children and Adolescents"

of the
First Austrian Pupils' Conference
on Human Rights
on 11 and 12 March, 1993

addressed to the

World Conference of the United Nations
on Human Rights
in Vienna in June 1993

Torture, "disappearances"

The Conference,

bearing in mind the General Declaration of Human Rights,

reaffirming the fact that every human being has the right to recognition as a person before the law in all states,

referring to the principles of the UN Convention against Torture,

noting with alarm that violations through torture and "disappearances" continue to be observed in 60 UN member countries,

1. states that the use of force is to be subject to strict legal provisions;

2. underlines that incidents have to be investigated in an impartial manner and that both the perpetrators and those responsible are to be held accountable by a court;

3. recommends that member states offer continuous psychological training to their law enforcement officers;

4. points out that statements which can reasonably be assumed to have been made under torture or the threat of torture must not be used as evidence in court;

5. is of the opinion that law enforcement officers who may have been involved in incidents of torture, disappearances or other violations of human rights are to be suspended from any position of authority over plaintiffs, witnesses and their families for the duration of the investigation;

6. affirms the right of victims of torture and their relatives to compensation and rehabilitation;

7. urgently calls upon the states to strictly prohibit the existence of secret detetion centres;

8. requests the complete and unconditional ratification of the UN Convention against Torture by all states;

9. calls upon the states to strictly supervise members of the military and of law enforcement agencies who have the authority to arrest people and to clearly define their responsibilities - the same applies to law enforcement officers authorized to use fire arms;

10. notes that rape and other forms of sexual abuse of de-

a form of torture and prosecuted accordingly;

11. asks the states to grant special protection to witnesses, relatives, legal counsel and all other persons involved in investigations;

12. therefore appeals to all states to obligate their authorities to do their utmost to clear up "disappearances" of persons after their actual or alleged arrest by office-holder of the state or related bodies and to inform the relatives of the "disappeared" and/or the Working Group on "Disappearances" of persons of the UN Human Rights Commission on their whereabouts.

Detention

The Conference,

recognizing the minimum principles applicable to the treatment of prisoners,

convinced that a further strengthening of the human rights of prisoners is necessary,

1. is convinced that holding prisoners incommunicado is a violation of human rights and must therefore be prevented;

2. recalls that any prisoner must have the possibility at any time to complain to superior authorities about his/her situation or his/her treatment in detention;

3. furthermore recalls that any prisoner has to be informed of his/her rights and the possibilities of exercising them immediately after his/her arrest;

4. recalls that any prisoner has the right to inform a person of his/her confidence and/or his/her legal counsel immediately after his/her arrest;

5. condemns the practice of garde-à-vue detention and calls upon the states to prevent it through appropriate legislation;

6. calls upon all states to apply strict legal regulations to pre-trial confinement;

7. affirms that any conviction must be preceded by fair proceedings before an independent court allowing the plaintiff every possiblity to defend himself/herself or to be represented by legal counsel, including the right to call witnesses and produce evidence;

8. appeals to the UN Human Rights Conference to see to the creation of instruments for the supervision of places of detention;

9. calls for the practical implementation of the minimum principles of the UN regarding the treatment of prisoners.

Death penalty

The Conference,

recognizing the right to life,

recalling the Hippocratic oath,

emphasizing human dignity,

considering the disputable effectiveness of the death penalty,

emphasizing the fallacy of the courts,

emphasizing, furthermore, the irrevocability of the death sentence once executed,

1. asks for the population to be enlightened on the uselessness of the death penalty;

2. appeals to all physicians never to participate actively in the execution of death sentences;

3. calls upon all states not to force physicians to participate in executions;

4. calls for the death penalty to be abolished within a period of ten years from now.

International responsibility

The Conference,

emphasizing the fact that every state bears a supranational responsibility;

1. is convinced that every state is obligated to use all the peaceful means at its disposal to contribute towards the universal respect of human rights;

2. takes it for granted that the right to asylum must be one of the fundamental rights of every human being;

3. demands the possibility for persons whose human rights are being violated to file complaints with supranational bodies.

Rights of participation

The Conference,

referring to the General Declaration of Human Rights,

reaffirming the fact that participation is one of the most essential rights of every citizen,

1. calls upon all states to take all the necessary steps towards the democratization of their internal political affairs;

2. asks all states to recognize the right to participation of every citizen in all spheres of life.

Resolution

of the Working Group on
"Civic and Political Rigths"

of the
First Austrian Pupils' Conference
on Human Rights
on 11 and 12 March, 1993

addressed to the

World Conference of the United Nations
on Human Rights
in Vienna in June 1993

Preamble

Children constitute the weakest link in the societies of all countries. To a large extent, they are being denied the right to development.

A life in human dignity for both children and adults is not a favour to be received, but a right to be claimed. Hence, the rich countries have the moral obligation to support the poorer ones.

Demands

1. Complaints body

We call upon the United Nations to set up an international complaints body for children and adolescents desiring to complain about violations of their rights in accordance with the Convention on the Rights of the Child. This institution is to consider complaints filed by children as an additional basis for the review of the Convention.

This institution, although part of the organizational structure of the United Nations, is to be able to operate independently. Regional facilities are to be set up in every country to deal with the rights of the child and to serve as field offices of the complaints body, so that access for children and adolescents to the complaints body is facilitated. The members of the staff of these facilities are to be particularly qualified to deal with children and adolescents, so that an appropriate handling of the complaints filed by children can be guaranteed. The United Nations are to make sure that the establishment of the complaints body and its regional offices is made known to children and adolescents in all countries of the world. The complaints body and the regional offices are obligated to deal with complaints received in a confidential manner.

2. Recognition of rights

We call upon member states having ratified the Convention to recognize the rights of the child listed in the Convention also as subjective rights of each individual child and adolescent. Furthermore, we call upon the United Nations to set up an international court of the rights of the child, where proceedings can be instituted in the case of violations of the rights of the child. The court is to guarantee the subjective rights of the individual child and adolescent. The member states undertake to ensure that any form of retaliation against complainants is prevented. The member states are called upon to take the necessary measures to facilitate access for children and adolescents to the international court.

3. A new international economic order

In our opinion, access to education and the international economic order are closely related to each other. Without adequate financial resources, it is impossible for a country to provide a sufficient offer of education for its population. Therefore, we call upon the industrialized countries, in particular, to create a new international economic order based on fair prices for raw materials, so that the other countries can finance an adequate system of education. This demand also includes the easing of the debt burden of the "Third World" countries.

4. Maintenance of the social network

We call upon the United Nations to support the maintenance of the existing social network in all member states. Decisions on the structure of this network are to be taken by the populations of the countries concerned, so that misguided developments of the social system can be prevented and the maintenance and strengthing of the countries' own cultures and mentalities is ensured. We regard a functioning social system as a fundamental prerequisite for effective measures to contain the population explosion and to give children and adolescents a chance of survival. It prevents the development of conditions under which children are forced to work for a living and allows both boys and girls to attend schools. The member states are called upon to grant parents financial assistance for the education of their children.

5. Exchange programmes

We consider it important to make children and adolescents aware of the problems of the world. We therefore demand the establishment of worldwide, regionally balanced exchange programmes for adolescents, focussed on personal contacts with adolescents of other countries of the world. The United Nations are called upon to distribute information on such programmes and to support them financially.

6. Budgets for educational programmes

We have been shocked to note that currently no more than 0.47% of the total volume of development aid are spent on education. We call upon the member states to make available more money, among others to UNICEF, to ensure a balanced offer of education throughout the world.

7. Compulsory product labelling

We call upon the member states to introduce a statutory labelling requirement for products manufactured partly or completely by child labour. This is to help eliminate the market for products made through child labour.

8. Information programmes

We are shocked by the fact that children are being drawn into wars.
We are equally shocked by the numerous cases of child abuse, even in countries that have already ratified the Convention.
We call upon the United Nations to work out an information programme or to make existing programmes known more widely, so that both adults and children are better informed on possibilities of reacting to child abuse.
Centres offering counselling and guidance to both victims and perpetrators of child abuse are to be set up for the purposes of psychological rehabilitation of the victims and the prevention of repeated offences by the perpetrators. We call for increased protection of children as court witnesses. Court testimonies by children are to be made less stressful, for example by not requiring the child to confront the offender.

9. Primary education for everybody free of charge

We note that compulsory schooling has not yet been introduced in all countries. We demand the introduction of compulsory schooling at the primary level - mainly reading, writing and arithmetic - to be available free of charge for all male and female adults and children, including, in particular, the handicapped. We demand a wider range of measures of education and further training with due consideration of the culture and mentality of the people concerned. The member staters are to provide an adequate infrastructure for measures of education and further training. The industrialized states are called upon to provide financial, material and human resources for this purpose.

10. Unconditional abolition of the death penalty

We the demand the unconditional abolition of the death penalty for adolescents of less than 18 years of age.

Resolution

of the Working Group on
"Indigenous Peoples, Minorities, Racism,
and the Right of Peoples to Self-Determination"
on 11 and 12 March, 1993

addressed to the

World Conference of the United Nations
on Human Rights
in Vienna in June 1993

Indigenous peoples/racism

In many countries, indigenous peoples and minorities are denied their political rights, faced with cultural, social and economic discrimination, deprived of the very basis of their lives through the destruction of their natural habitats, and confronted with a policy of forced assimilation. The policies of some states consist in the expulsion of large groups of the population and other violent, even genocidal, measures.

Problems facing indigenous peoples

In most cases, the problems facing indigenous peoples are directly related to the exploitation of natural resources through a ruthless policy of economic development and the associated destruction of the environment. Economic policies of this type and an orientation towards unlimited growth not only destroy the global eco-system, but also deprive many peoples of their vital resources and their traditional life-styles. However, the threat to the survival of indigenous peoples is also due to attemps at modernizing and "developing" their way of life, which is regarded as "primitive" and "uncivilized".

1. Indigenous peoples and minorities

Indigenous peoples and minorities are to receive concrete assistance, among other things in the form of information and economic support through:

a) information, in their own languages, on general social, economic and political rights;
b) support of projects to be carried out in cooperation with the population of the country concerned;
c) fair world market prices to ensure a real development opportunity through fair wages;
d) effective measures to be taken by the lender countries under the auspices of the World Bank and the IMF to ease the debt burden of "Third World" countries;
e) the rejection of any linkage of economic cooperation to political conditions.

2. The heritage of colonialism

Numerous minorities continue to suffer from the heritage of colonialism. The arbitrary drawing of borders, the refusal to recognize ethnically homogeneous regions and the principle of the territorial integrity of states have been at the origin of many ethnic conflicts and violent confrontations. Peoples and ethnic groups are being denied their autonomy for the sake of the preservation of existing borders and national structures set up through arbitrary decisions.

In view of the above, indigenous peoples and minorities need to be granted special protection.
It is true that both the United Nations and the European Parliament have adopted resolutions to that effect, but these have not been translated into practice except by a few countries.
For measures to be effective in the long run, they must be aimed at:

a) the right to self-determination also for peoples who do not yet have their own states (e.g. Kurds, Palestinians...),
b) regulations granting a status of internal autonomy, and
c) multi-nation states within the framework of federal constitutions.

Demands

The states participating in the UN Human Rights Conference are called upon:

a) to accept the autonomous cultures, religions and languges of indigenous peoples and minorities as a basis of their identity, to guarantee their free exercise and to lift existing bans without delay;
b) to guarantee self-administration and economic self-determination for indigenous peoples and minorities in their native regions, so that they can defend and preserve their natural habitats; traditional economic models are to be upheld and the self-determined development of alternative models is to be promoted;
c) to allow indigenous peoples and minorities to participate in the decision-making process on an equal basis as far as their vested interests are concerned;
d) to provide compensation, wherever possible, for crimes committed against indigenous populations and other minorities, to leave their places of worship intact and to grant them adequate economic and social support;
e) to provide educational facilties for indigenous peoples free of charge and to guarantee the necessary degree of social security so that they can actually make use of these facilities; children are to be taught by members of their own ethnic groups in their native languages.

Practical implementation of assistance measures

For the purposes of the practical implementation of assistance measures, we demand the establishment of a UN body, available to hear complaints from indigenous peoples all the year round, which receives annual reports on progress made and/or problems encountered by indigenous peoples/minorities from their own representatives, publishes such reports and, if necessary, takes appropriate measures against human rights violations.

Racism/xenophobia

Prejudices and racist attitudes are not inborn, but acquired. Many societies have developed mechanism for the marginalization and rejection of certain groups of the population. Racism is both an individual and an institutional problem manifested through social structures (discriminating legislation) and by the attitudes and feelings of human beings.
The alleged superiority of the "whites" and the dominant position of the north over the south are expressions of racist attitudes, as are the concrete mechanisms of marginalization of some states (apartheid, discrimination of minorities, assimilation efforts...).

The states participating in the UN Human Rights Conference are called upon:

to revise their own laws and regulations with a view to discrimination against and unequal treatment of ethnic, cultural and linguistic minorities as well as racist and racism-promoting tendencies and to abolish any such provisions.

However, responsibility for the respect of human rights cannot be delegated exclusively to the authorties of the state. The individual has to assume his/her share of responsibility for the existence of racism and xenophobia.

Hence, the participants of the UN Human Rights Conference are called upon to promote measures which, among other things, facilitate the distribution of information on minorities and help to promote a multi-cultural exchange of ideas (e.g. through discussions with representatives of minorities or indigenous peoples within the framework of communication centres).

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Vienna, 14-25 June 1993
Agenda item 10

CONSIDERATION OF THE RELATIONSHIP BETWEEN DEVELOPMENT, DEMOCRACY AND THE UNIVERSAL ENJOYMENT OF ALL HUMAN RIGHTS, KEEPING IN VIEW THE INTERRELATIONSHIP AND INDIVISIBILITY OF ECONOMIC, SOCIAL, CULTURAL, CIVIL AND POLITICAL RIGHTS

Note by the Secretary-General

Note verbale dated 21 June 1993 from the Austrian Federal Ministry for Foreign Affairs addressed to the Secretary-General of the World Conference on Human Rights

The Austrian Delegation to the World Conference on Human Rights presents its compliments to the Secretary-General of the World Conference on Human Rights and has the honour to submit the report of a panel discussion on "Human rights, democracy and development", organized by the Austrian Society for Foreign Policy and International Relations which was held on 17 June 1993 on the occasion of the World Conference on Human Rights in Vienna.

The Austrian Delegation respectfully requests that the enclosed report be issued as a document of the World Conference on Human Rights under item 10 of the agenda.

Human rights, democracy and development

On the occasion and within the overall framework of the World Conference on Human Rights, the Austrian Society for Foreign Policy and International Relations organized on 17 June 1993 a panel discussion to explore the interrelationships existing between human rights, democracy and development.

Under the chairmanship of the former President of the Philippines, Ms. Corazon Aquino, and following a keynote address by Cardinal Roger Etchegaray, President of the Pontifical Council for Justice and Peace, statements were made by Mr. Ariel Français, Deputy Director for Europe, United Nations Development Programme, Professor Wangari Maathai, President of the Greenbelt Movement and winner of the Alternative Nobel Peace Prize (Kenya), Mr. Ibrahim Shihata, Vice-President of the World Bank and Mr. Lee Swepston, Coordinator for Human Rights Questions, International Labour Organisation. Numerous other participants from the audience also took the floor. Ambassador Walther Lichem (Austria) served as Rapporteur. The debate brought consensus on the following conclusions:

1. The sterile debate of the past about the relationship between human rights, democracy and development has been a consequence of the conditions of the cold war. Human rights were repeatedly considered an enemy of development. It has now been generally recognized that there can be no real development unless it focuses on the human being in all its dimensions as its ultimate goal, including the development of human rights and of democratic processes and institutions.

2. The segmented and sectoral approach to development belongs to the past. Development is more than the aggregation of economic indicators. While of great importance, economic growth is not identical with development. In fact, there is no development unless it is comprehensive, encompassing not only the economic but also the social, cultural, political and even civic and normative dimensions. The respect for and effective protection of human rights are an essential condition for achieving real development. Democracy is a cornerstone of the protection of human rights.

3. Development must be people-centred. It must not serve limited elites but be "of the people, by the people and for the people". There cannot be economic development now and political development later. Recent examples have amply demonstrated the inherent failure of such disjointed approaches.

4. Development must be participatory. The people affected by development projects must be partners in the process and have the right to be heard. New forms of decentralized decision-making and ways to assure dialogue with national as well as international development agencies are to be explored. Participatory development requires good governance, accountability, transparency and democratic control of decision-making. Development policies hence must be extended to deal with the institutional as well as normative set-up. The participation of people in development holds a key to the effective protection of human rights. People are to be empowered by cooperative grass-root organizations and non-governmental organizations. Broadly based programmes of human rights education are essential.

5. Development must be sustainable. This refers also to the ability of the people concerned and affected to sustain the processes of change after outside assistance has ended.

6. Human development promotes peace and security both within countries and among nations.

7. Development must be a joint responsibility. Only solidarity allows for progress by humankind.

8. Human development requires a new interdisciplinary focus on both human rights and democracy as well as on development. Jurists who for too long dominated the human rights debate must accept the contributions from the other development-related social science disciplines. Economists in turn must take account of the institutions and processes of societal standard-setting, including in particular with regard to human rights.

9. Human rights, democratic processes and development are indivisible. They were traditionally dealt with by separate institutions. Only recently, linking of these issues was made possible on the governmental level as well as within the United Nations. This represents, both conceptually and institutionally, a major challenge for the future.

10. Only the integration of human rights, democracy and development in a holistic approach can provide real development and the "capacity to be human".

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GENERAL DEBATE ON THE PROGRESS MADE IN THE FIELD OF HUMAN RIGHTS SINCE THE ADOPTION OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND ON THE IDENTIFICATION OF OBSTACLES TO FURTHER PROGRESS IN THIS AREA AND WAYS IN WHICH THEY CAN BE OVERCOME

CONSIDERATION OF THE RELATIONSHIP BETWEEN DEVELOPMENT, DEMOCRACY AND THE UNIVERSAL ENJOYMENT OF ALL HUMAN RIGHTS, KEEPING IN VIEW THE INTERRELATIONSHIP AND INDIVISIBILITY OF ECONOMIC, SOCIAL, CULTURAL, CIVIL AND POLITICAL RIGHTS

CONSIDERATION OF CONTEMPORARY TRENDS IN AND NEW CHALLENGES TO THE FULL REALIZATION OF ALL HUMAN RIGHTS OF WOMEN AND MEN, INCLUDING THOSE OF PERSONS BELONGING TO VULNERABLE GROUPS

RECOMMENDATIONS FOR: (a) STRENGTHENING INTERNATIONAL COOPERATION IN THE FIELD OF HUMAN RIGHTS IN CONFORMITY WITH THE CHARTER OF THE UNITED NATIONS AND WITH INTERNATIONAL HUMAN RIGHTS INSTRUMENTS; (b) ENSURING THE UNIVERSALITY, OBJECTIVITY AND NON-SELECTIVITY OF THE CONSIDERATION OF HUMAN RIGHTS ISSUES; (c) ENHANCING THE EFFECTIVENESS OF UNITED NATIONS ACTIVITIES AND MECHANISMS; (d) SECURING THE NECESSARY FINANCIAL AND OTHER RESOURCES FOR UNITED NATIONS ACTIVITIES IN THE AREA OF HUMAN RIGHTS

Note by the Secretary-General

Letter dated 21 June 1993 from the Permanent Representative of the Russian Federation to the International Organizations in Vienna addressed to the Secretary-General of the World Conference on Human Rights

I have the honour to forward to you the statement of the Foreign Ministry of the Russian Federation concerning the violation of human rights of the ethnic Russians in Estonia.

I ask you to distribute it as an official document of the World Conference on Human Rights in all United Nations official languages.

STATEMENT BY THE MINISTRY OF FOREIGN AFFAIRS OF RUSSIA

Legislation recently adopted or currently under discussion by the Parliament of Estonia and decisions by local Estonian authorities have led to a serious aggravation of the situation around the Russian troops temporarily stationed in the Estonian Republic and have further exacerbated the plight of the non-indigenous population, particularly Russian-speakers.

We must regretfully accept that the worst fears are coming true: the authorities in Tallinn are heading towards confrontation. The admission of Estonia into the Council of Europe has not been taken as an advance on or incentive to improvements in the situation of the population, but as a "blessing" on the creation of a mono-ethnic state in Estonia. Having passed a discriminatory law which denied the Russian-speaking population the right to be elected to local government bodies, the State Assembly of the Estonian Republic has adopted in first reading a draft law on foreigners which completely disregards the existing realities in the country and proclaims all non-citizens of Estonia to be aliens with no residence permit, i.e. in effect, illegal immigrants. If this law enters into force, hundreds of thousands of people in Estonia will be deprived of social guarantees and doomed to live without political rights; they will face additional obstacles in gaining entitlement to reside and work there. No doubt, this will make the threat of domestic conflict quite real.

Furthermore, unprecedented attempts are being made to put pressure on the Russian military. Tallinn City Council has adopted a decision declaring null and void all documents, including residence registration papers authorizing servicemen and employees of Russian Defence Ministry enterprises to live there. City authorities intend "to arrange for the liberation of the seized apartments in cooperation with the police". Earlier, a similar decision affecting retired Russian servicemen and their families was adopted in the town of Tartu.

These measures are being taken against the background of a hardening Estonian position in the interstate talks, revived territorial claims to Russian lands, and ever more frequent, public anti-Russian statements by Estonian leaders.

Tallinn's policy of confrontation and contrived worsening of relations with Russia may have serious consequences not only for our two countries, but for the Baltic region as a whole. The Estonian side will bear full responsibility for the consequences, whose impact will also be felt by those foreign partners of Estonia who today turn a blind eye to instances of aggressive nationalism in that country and rashly support the dangerous policy pursued by Tallinn.

The Ministry of Foreign Affairs of Russia calls upon the authorities in the Estonian Republic to display commonsense and statesmanlike wisdom, to stop the slide towards a dangerous stand-off with Russia, and to prevent an inter-ethnic explosion in their own country. We express the hope that all democratic countries and influential international organizations, whose membership requirements Estonia must faithfully comply with, will add their own authoritative voices on this matter.